

Notice of Allowability

Application No.

09/595,970

Applicant(s)

SEBIRE ET AL.

Examiner

Lawrence B. Williams

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 07 November 2005.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>2</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Henry L. Steckler on 11 January 2006.

The application has been amended as follows:

a.) Delete the original abstract and replace with the following abstract:

A method is presented for conveying information over a wireless interface in the form of a digitally encoded message. A set of bits is provided as a first piece of information to be transmitted, and a certain baseband signal processing method is applied to process the bits to be transmitted. In addition, a second piece of information is provided to be transmitted and the baseband signal processing method is selected from a set of allowed baseband signal processing methods in accordance with the provided second piece of information.

b.) Delete the phrase "Fig. 2b".

c.) In claim 3, line 10, delete the word "it" and replace with "the selected baseband signal processing method".

d.) In claim 3, line 13, delete the word "identified" and replace with "selected".

e.) In claim 4, line 21, delete the word "it" and replace with "the selected baseband signal processing method".

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f.) In claim 4, line 24, delete the word “identified” and replace with “selected”.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The instant application discloses a method and apparatus for conveying information over a wireless interface. A search of prior art records has failed to disclose a method or transmitting device comprising:

“ providing a set of bits as a first piece of information to be transmitted, applying a certain baseband signal processing method to process the bits to be transmitted, providing a second piece of information to be transmitted, said second piece of information indicating capabilities of a transmitter for said first and second pieces of information, and selecting the baseband signal processing method from a set of allowed baseband signal processing methods in accordance with the provided second piece of information” or “means for providing a set of bits as a first piece of information to be transmitted, means for applying a certain baseband signal processing method to process the bits to be transmitted, means for providing a second piece of information to be transmitted, said second piece of information indicating capabilities of a transmitter for said first and second pieces of information, and means for selecting the baseband signal processing method from a set of allowed baseband signal processing methods in accordance with the provided second piece of information” as disclosed in claims 1 and 2, respectively.

Nor does the prior art disclose a receiving device comprising “means for receiving a set of bits as the representative of a first piece of received information, means for applying a certain baseband signal processing method to process the set of bits, means for selecting the baseband signal processing method from set of allowed baseband signal processing methods so that

applying the selected baseband signal processing method produces a first piece of received information which satisfies a certain criterion of acceptance, and means for providing a second piece of received information in the form of the selected baseband signal processing method, said second piece of information indicating capabilities of a transmitter for said first and second pieces of information” or a communication system comprising: a transmitting device and a receiving device, the transmitting device including means for providing set of bits first piece information be transmitted and means for applying a certain baseband signal processing method to process the bits be transmitted, the transmitting device further including means for providing a second piece of information be transmitted, said second piece of information indicating capabilities of a transmitter for said first and second pieces of information, and means for selecting the baseband signal processing method from a set of allowed baseband signal processing methods in accordance with the provided second piece of information, the receiving device including means for receiving a set of bits as the representative of a first piece of received information and means for applying a certain baseband signal processing method to process the set of bits, and the receiving device further including means for selecting the baseband signal processing method from a set of allowed baseband signal processing methods so that applying the selected baseband signal processing method produces a first piece of received information which satisfies a certain criterion of acceptance and means for providing a second piece of received information in the form of the selected baseband signal processing method” as disclosed in claims 3 and 4, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

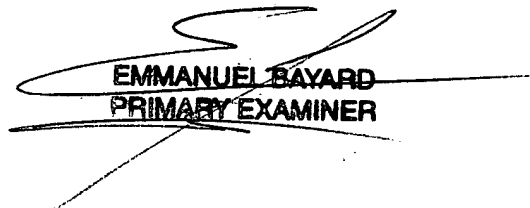
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lawrence B. Williams

lbw
January 12, 2006


EMMANUEL BAYARD
PRIMARY EXAMINER